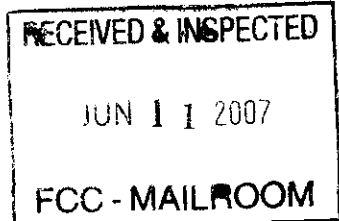


CM CINNAMON MUELLER

A Professional Limited Liability Company
307 North Michigan Avenue, Suite 1020
Chicago, Illinois 60601
Telephone: 312-372-3930
Facsimile: 312-372-3939



June 8, 2007

Marlene Dortch
Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

via FederalExpress

**Re: CS Docket No. 97-80, CSR-7114-Z;
In the Matter of The World Company ("Sunflower Broadband");
Request for Deferral of Enforcement of 47 C.F.R. § 76.1204(a)(1)**

Dear Ms. Dortch:

On November 20, 2006, Sunflower Broadband filed a Request for Waiver of 47 C.F.R. § 76.1204(a)(1), which has been assigned to CSR-7114-Z in CS Docket No. 97-80. Because the Commission has not yet issued an order on Sunflower Broadband's Request for Waiver, the company must request a deferral of enforcement of the deadline in 47 C.F.R. § 76.1204(a)(1).

We enclose an original and four copies of the Request for Deferral. We also enclose a copy of this letter and a copy of the first page of the Request for Deferral. Please date-stamp each page and return in to the enclosed postage-paid FedEx envelope so that we may have it for our records. Please contact me if you have any questions regarding this matter.

Sincerely,

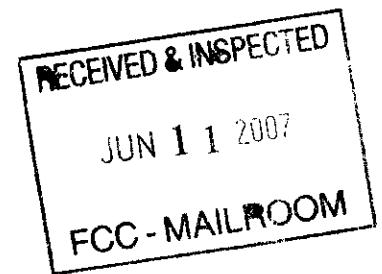

Megan M. Petrulis

cc (via email): Michelle Carey
John Norton
Brendan Murray
Andrew Long
Patrick Knorr

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June 8, 2007

Monica Desai, Bureau Chief
Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

via Hand Delivery

**Re: CSR-7114-Z, CS Docket No. 97-80
The World Company, d/b/a Sunflower Broadband ("Sunflower Broadband");
Request for Deferral of Enforcement of July 1, 2007 deadline in 47 C.F.R. §
76.1204(a)(1)**

Dear Ms. Desai:

Sunflower Broadband's November 20, 2006 *Request for Waiver of 47 C.F.R. § 76.1204(a)(1) and Request for Clarification ("Petition")* is pending in the above-referenced docket. Sunflower Broadband requests that if the Commission does not grant its *Petition*, the Commission defer enforcement of the July 1, 2007 deadline in 47 C.F.R. § 76.1204(a)(1) ("Integration Ban") until Sunflower Broadband can obtain low-cost set-top boxes compliant with the Integration Ban.

We organize this request as follows:

- Background
- Request for Deferral
- Commitments
- Conclusion

Background. Sunflower Broadband is a small cable operator serving approximately 30,000 subscribers in smaller and rural markets in and around Lawrence, Kansas. On November 20, 2006, Sunflower Broadband filed its *Petition*.¹

On February 15, 2007, in response to the Commission's *BendBroadband MO&O*,² Sunflower Broadband supplemented its *Petition* with a commitment to transition all its services to digital by December 31, 2008 if its *Petition* is granted ("*Supplement*").³

¹ The *Petition* was put on public notice on February 12, 2007.

² In the *Matter of Bend Cable Communications, LLC d/b/a BendBroadband, Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules, Memorandum Opinion and Order, CSR-7057-Z, CS 97-80, DA 07-47* (rel. January 10, 2007).

To meet the commitments made in its *Supplement*, Sunflower Broadband ordered over \$1 million dollars of Motorola DCT-700 set-top boxes in February 2007. An order of this size is a significant investment for a cable operator with only 30,000 subscribers. For this reason, Sunflower Broadband requested in its *Supplement* that the Commission issue an order on its *Petition* before the DCT-700 purchase order became irrevocable on March 31, 2007. For a company the size of Sunflower Broadband, \$1 million in stranded investment would cause substantial financial hardship.

The Commission has not yet issued an order on Sunflower Broadband's *Petition*, and the DCT-700 purchase order is now irrevocable.

Moreover, if the Commission does not grant Sunflower Broadband's *Petition*, the company will be required to expend significant additional capital to purchase replacement set-top boxes with separable security. In such event, Sunflower Broadband intends to deploy the lowest-cost digital set-top box models available on the market. But even if Sunflower Broadband were to place an order for the boxes today, these vendors have informed Sunflower Broadband that they will not deliver the boxes for another 3 to 6 months.⁴

Further, until the Commission issues an order on Sunflower Broadband's *Petition*, the company cannot financially justify an order for these separable-security set-top boxes. This is because vendors of these low-cost boxes require either an irrevocable purchase order or 30-days' notice of cancellation of an order. If the Commission grants Sunflower Broadband's *Petition*, Sunflower Broadband will have no near-term use for these boxes, but the vendors' limitations on cancellation could force Sunflower Broadband to expend significant capital to purchase the boxes anyway.⁵

Request for Deferral. Sunflower Broadband requests deferral of enforcement of the Integration Ban as provided for in the Commission's *GCI MO&O*,⁶ so that Sunflower Broadband may deploy Motorola DCT-700 set-top boxes until (i) its *Petition* is granted; or (ii) its *Petition* is denied and Sunflower Broadband receives set-top boxes compliant with the Integration Ban.

Commitments. If Sunflower Broadband's *Petition* (and any *Petition* for Reconsideration or Application for Review) is denied, Sunflower Broadband will:

- Order only enough Motorola DCT-700 boxes to meet its needs until compliant boxes can be obtained;
- Immediately file with the Commission a signed affidavit that:

³ As described in its *Supplement*, Sunflower Broadband will also offer a limited analog tier consisting primarily of broadcast stations. *Supplement* at 3-4.

⁴ See *Affidavit of Patrick Knorr*, attached as Exhibit 1 at ¶ 5.

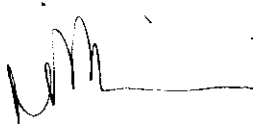
⁵ *Id.* at ¶ 4.

⁶ *In the Matter of GCI Cable, Inc., Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules, Memorandum Opinion and Order*, CSR-7130-Z, CS Docket No. 97-80 (rel. May 4, 2007).

- States how many Motorola DCT-700 boxes Sunflower Broadband has ordered and provides information to support those numbers;
- States that Sunflower Broadband will have placed an order for a sufficient number of compliant boxes that will satisfy Sunflower Broadband's equipment needs;
- Specifies the number of compliant boxes ordered;
- Provides information to support its statement that the number of compliant boxes ordered will be sufficient;
- States that the manufacturer has informed it that the order for compliant boxes will not be filled by July 1, 2007;
- States the date by which the manufacturer estimates it will fill the order for compliant boxes;
- Attaches all relevant documentation, including order forms and correspondence with its manufacturers.⁷

Conclusion. For the reasons above, Sunflower Broadband requests that the Commission grant the requested deferral. To prohibit the deployment of the Motorola DCT-700 set-top boxes in Sunflower Broadband's inventory would cause Sunflower Broadband severe financial hardship and result in economic waste with no offsetting public interest benefit.

Sincerely,



Nicole Paolini-Subramanya

cc (via email): Michelle Carey
John Norton
Brendan Murray
Andrew Long
Patrick Knorr

⁷ See Affidavit of Patrick Knorr at ¶ 6.


EXHIBIT 1

AFFIDAVIT OF PATRICK KNORR

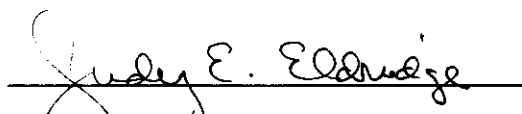
I, Patrick Knorr, make this affidavit based upon personal knowledge and a review of records, and can testify if necessary as to the truth of the matters asserted:

1. I have been General Manager of Sunflower Broadband, a division of The World Company ("Sunflower Broadband") since January 2000.
2. On November 20, 2006, Sunflower Broadband filed with the Commission a Request for Waiver 47 C.F.R. § 76.1204(a)(1) and Request for Clarification, which has been assigned to CS Docket No. 97-80, CSR-7114-Z ("Petition").
3. If its Petition is not granted, Sunflower Broadband will need to order and deploy digital set-top boxes with separable security. Sunflower Broadband intends to deploy the lowest-cost digital set-top box models with separable security available on the market.
4. Until the Commission issues an order on Sunflower Broadband's Petition, the company cannot financially justify an order for these set-top boxes with separable security. This is because vendors of these low-cost boxes require that Sunflower Broadband submit either an irrevocable purchase order, or provide 30-days' notice of cancellation of an order. If Sunflower Broadband's Petition is granted, there will be no near-term need for these set-top boxes with separable security, but the vendors' limitations on cancellation may force Sunflower Broadband to expend significant capital to purchase the boxes anyway.

5. Even if Sunflower Broadband were to place an order for the boxes today, these vendors have informed Sunflower Broadband that they will not deliver the boxes for another 3 to 6 months.
6. Accordingly, if Sunflower Broadband's Petition is denied, Sunflower Broadband will:
- Order only enough Motorola DCT-700 boxes to meet its needs until compliant boxes can be obtained;
 - Immediately file with the Commission a signed affidavit that:
 - States how many Motorola DCT-700 boxes Sunflower Broadband has ordered and provides information to support those numbers;
 - States that Sunflower Broadband will has placed an order for a sufficient number of compliant boxes that will satisfy Sunflower Broadband's equipment needs;
 - Specifies the number of compliant boxes ordered;
 - Provides information to support its statement that the number of compliant boxes ordered will be sufficient;
 - States that the manufacturer has informed it that the order for compliant boxes will not be filled by July 1, 2007;
 - States the date by which the manufacturer estimates it will fill the order for compliant boxes;
 - Attaches all relevant documentation, including order forms and correspondence with its manufacturers.


Patrick Knorr, General Manager
Sunflower Broadband, a division of The
World Company

Subscribed and sworn to before me this 31 day of May, 2007.


Notary Public

